TABLE OF INDICES TO VOLUME XIII

AUTHOR INDEX

Bodine, Margot R.	Opening the Schoolhouse Door for Children with Aids: The Education for All Handicapped Children Act	583
Brieger, Heidi	Lust and the Common Law: A Marriage of Necessity	521
Calderon, Reina	Bond Requirements Under Federal Rule of Civil Procedure 65(c): An Emerging Equitable Exemption for Public Interest Litigants	125
Cross, Frank B.	Section 111(d) of the Clean Air Act: A New Approach to the Control of Airborne Carcinogens	215
Frank, Robert P.	Delegation of Environmental Impact Statement Preparation: A Critique of NEPA's Enforcement	79
Funk, William	The Exception that Approves the Rule: FDF Variances Under the Clean Water Act	1
Gionfriddo, David P.	Sealing Pandora's Box: Judicial Doctrines Restricting Public Trust Citizen Environmental Suits	439
Hassler, Gregory L., O'Connor, Karen	Woodsy Witchdoctors versus Judicial Guerrillas: The Role and Impact of Competing Interest Groups in Environmental Litigation	487
Hayes, David J., Hourihan, James A.	*NEPA Requirements for Private* Projects	61

Holznagel, Bernd	Negotiation and Mediation: The Newest Approach to Hazardous Waste Facility Siting	329
Hourihan, James A., Hayes, David J.	NEPA Requirements for Private Projects	61
Kellett, Catherine A.	The Future of the Environmental Enforcement Injunction after *Ohio v. Kovacs*	397
Klein, Michael Frederick	The National Chainsaw Massacre: Below Cost Timber Sales in the National Forests	553
O'Connor, Karen, Hassler, Gregory L.	Woodsy Witchdoctors versus Judicial Guerrillas: The Role and Impact of Competing Interest Groups in Environmental Litigation	487
Orlando, Caroline L.	Aboriginal Title Claims in the Indian Claims Commission: *United States v. Dann* and its Due Process Implications	241
Reitze, Arnold W., Jr.	Federal Compensation for Vaccine Induced Injuries	169
Rich, David A.	Personal Liability for Hazardous Waste Cleanup: An Examination of CERCLA section 107	643
Starr, Judson W.	Countering Environmental Crimes	379
Winn, John	*Alaska v. F/V Baranof*: State Regulation Beyond the Territorial Sea after the Magnuson Act	281

STATUTES

Airborne Carcinogen Policy of 1979, 44 Fed. Reg. 38, 642 (1979)	223	§ 101, 92 Stat. 2549 (1978)(codified in scattered provisions of 11 U.S.C.(Supp. V 1984)	399, 404
Bankruptcy Reform Act of 1978, Pub. L. No. 95–598			

Black Lung Benefits Act, 30 U.S.C. § 921 (1982) 212
Clayton Act of 1914, ch. 323, § 18, 38 Stat. 738 (1914) 144
Clean Air Act, 42 U.S.C. §§ 7411(d), 7412 (1978) 216
Clean Water Act of 1972, 33 U.S.C. §§ 1251–1371 (1982) 1, 390, 496, 532
Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or "Superfund"), 42 U.S.C. §§ 9601–9657 (1982) 334, 389, 398, 535, 649
Connecticut Environmental Protection Act of 1971 (CEPA), Conn. Gen. Stat. Ann. §§ 22a–14 to 22a–20 440, 446
Connecticut Hazardous Waste Facility Siting Act of 1981, Conn. Gen. Stat. Ann. § 22a-115–134 (1985) 373
Education for All Handicapped Children Act of 1975, 20 U.S.C. §§ 1401–1461 (1982 & Supp. 1985) 608
Federal Coal Mine Health & Safety Act of 1969, Pub. L. No. 91–173, 83 Stat. 742 (1969) 212
Federal Food, Drug and Cosmetic Act, 21 U.S.C.S. §§ 301 et. seq 669
Federal Insecticide, Fungicide & Rodenticide Act, 7 U.S.C. § 136–136y (1982) 496
Federal Power Act, 16 U.S.C. §§ 792–824k (1982) 503
Federal Rule of Civil Procedure 65(c) 132, 137, 139
Federal Tort Claims Act, 28 U.S.C. §§ 1346, 1402, 1504, 2110, 2401, 2402, 2411, 2412, 2671–2680 (1982) 179
Federal Water Pollution Control Act of 1972, Pub. L. 92–500, 86 Stat. 816 (1972) 503
Federal Water Pollution Control Act Amendments of 1972, § 402, 33 U.S.C.S. § 1342 507
Fishery Conservation and Management Act of 1976, 16 U.S.C. §§ 1801–82 (1976) 281
Health Materials Transportation Act, 49 U.S.C. § 1801 (1982) 386
Indian Claims Commission Act of 1946, §§ 1–28, ch. 959, 60 Stat. 1049, 25 U.S.C. § 70–70v-3 (1976)(repealed 1978) 241, 251, 274
Labor-Management Reporting and Disclosure Act (LMRDA) 147, 158
Magnuson Fishery Conservation and Management Act, Pub. L. No. 96–561 § 238, 94 Stat. 3296 (amending 16 U.S.C. § 1801 (1982)) 281, 304

Maryland [Health] Code Ann., §§ 18–328 (Supp. 1985) 199
Massachusetts Administrative Procedure Act, Mass. Gen. Laws Ann. ch. 30 § 14 (1979) 360
Massachusetts Environmental Policy Act, Mass. Gen. Laws Ann. ch. 30 §§ 61–62H (1981) 363
Massachusetts Hazardous Waste Siting Act, Mass. Gen. Laws Ann. ch. 21D (West 1981) 354
Massachusetts Zoning Act of 1975, Mass. Gen. Laws Ann. ch. 40A,§ 9 (West 1981) 367
Mich. Const., art. IV, § 52 454
Michigan Environmental Protection Act of 1970 (MEPA), Mich Stat. Ann. § 14.528(201)-(207), Mich. Comp. Laws Ann. § 691.1201–691.1207 440, 449, 455, 462
Minnesota Environmental Rights Act of 1971 (MERA), Minn. Stat. Ann. § 116B.01–116B.13 440, 456, 458
Multiple-Use Sustained Yield Act (MUSY), 16 U.S.C. §§ 528–531 (1982) 555, 563
National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. § 4321–4361 (1976) 61, 79, 136, 147, 439, 555
National Forest Management Act, Pub. L. No. 94–588, 90 Stat. 2949 (1976)(codified at 16 U.S.C. §§ 1600–1614 (1982) and other sections throughout 16 U.S.C.) 554
The National Swine Flu Immunization Program of 1976, 42 U.S.C. § 2476(k)(2)(A)(1982) 180
New York Code of 1848, ch. 379, § 195, [1848] Laws of New York 534 144
Rehabilitation Act of 1973, 29 U.S.C. § 794 (1982 & Supp. I 1983) 620
Resource Conservation and Recovery Act, 42 U.S.C. §§ 6901–6987 (1982 & Supp. 1985) 331, 334, 340, 385, 534, 643
Rhode Island Hazardous Waste Management Facility Act of 1982, R.I. Gen. Laws § 23–19.7–9.–23–19.7–15 (1985) 368
Rivers and Harbors Appropriation Act of 1899, 33 U.S.C. §§ 401–467e (1980) 497
Safe Drinking Water Act of 1974, 42 U.S.C. § 300f–300j–10 (1982) 533
Social Security Act 149–50
Surface Mining Control & Reclamation Act, 30 U.S.C. §§ 1201–1202 (1977) 513
Toxic Substances Control Act (TSCA), 15 U.S.C. §§ 2610–2629 (1982) 388

U.S. Constitution Amend. V 246–7, 274
Wis. Stat. Ann. § 144.43 (West Supp. 1985) 370

MAJOR CASES

Arline v. School Board of Nassau County, 772 F.2d 759 (11th Cir. 1985) *cert. granted*, No. 85-1277 (April 21, 1986) 625
Alaska v. F/V Baranof, 677 P.2d. 1245 (Alaska 1984), *cert. denied*, 105 S. Ct. 98 (1984) 283, 304
Anderson Seafoods Inc. v. Graham, 529 F. Supp 512 (N.D. Fla. 1982) 319
Baltimore Gas v. Natural Resource Defense Council, 462 U.S. 87 (1983) 516
Bartels v. Biernat, 405 F. Supp 1012 (E.D. Wis. 1975) 148, 151
Bass v. Richardson, 338 F. Supp. 478 (S.D. N.Y. 1971) 148, 154
Bayside Fish Floor Co. v. Gentry, 297 U.S. 422 (1936) 286, 290
Beattie v. Board of Education of the City of Antigo 169 Wis. 231, 172 N.W. 153 (1919) 601
Belford v. City of New Haven, 170 Conn. 46, 364 A.2d 194 (1975) 445
Branch v. Western Petroleum, Inc., 657 P.2d 267 (Utah 1982) 545
Brandon v. Pierce, 725 F.2d 555 (10th Cir. 1984). 118
Brown v. Board of Education, 347 U.S. 483 (1954) 602
Brown v. Stone, 378 So.2d 218 (Miss. 1979) 200
Bucks County Board of Commissioners v. Interstate Energy Co., 403 F. Supp. 805 (E.D. Pa. 1975) 66
California V. Sierra Club, 451 U.S. 287 (1981) 497
Calvert Clipper Coordinating Committee v. Atomic Energy Commissions, 449 F.2d 1109 (D.C. Cir. 1971) 89
Chemical Manufacturers Ass'n. v. Natural Resources Defense Council, ___ U.S. ___, 105 S.Ct. 1102 (1985) 1, 25, 496
Chevron U.S.A. Inc. v. Natural Resources Defense Council, 467 U.S. 837 (1984) 2, 516
Churchill Truck Lines, Inc. v. United States, 533 F.2d 411 (8th Cir. 1976) 73
City of Milwaukee v. Illinois, 451 U.S. 304 (1981) 503

City of Northglenn v. Chevron U.S.A., Inc., 519 F. Supp. 515 (D. Colo. 1981) 544
City of Portage v. Kalamazoo County Road Commission, 136 Mich. App. 276, 335 N.W.2d 913 (1984) 463
Conservation Soctety of Southern Vermont v. Secretary of Transportation, 362 F. Supp 627 (D. Vt. 1973), *rev'd* , 531 F.2d 637 (2d Cir. 1976) 97
Cook v. Grand River Power Co., 131 Mich. App. 821, 346 N.W.2d 881 (1984) 469
Cook v. United States, 545 F. Supp 306 (N.D. Cal 1982) 186
Costle v. Pacific Legal Foundation, 445 U.S. 198 (1980) 506
Cramer v. United States, 261 U.S. 219 (1923) 248, 271
Crowley v. Local No. 82, Furniture and Piano Movers, 697 F.2d 978 (1st Cir. 1982) 157, 158, 159, 162
Cude v. State, 377 S.W.2d 816 (Ark. 1964) 201
Denny v. Health and Social Services Board, 285 F. Supp 526 (E.D. Wis. 1968) 148, 151, 160
District 27 Community School Board v. Board of Education of New York City, No. 14949/85 slip op. at 1 (N.Y. Sup. Ct. Feb. 11, 1986) 585
Dodd v. Flavell, 2 C.E. Green 255 (1865) 142
Douglas v. Seacost Products, Inc., 431 U.S. 265 (1977) 296
Eastern Bond of Cherokee Indians v. United States, 117 U.S. 288 (1886) 248
E.I. du Pont de Nemours v. Train, 430 U.S. 112 (1977) 10
Environmental Protection Agency v. National Crushed Stone Association, 449 U.S. 64 (1980) 16, 510
Escondido Mutual Water Co. v. La Jolla, Rincon, San Pasqual, Pauma, and Pala Bands of Mission Indians, 466 U.S. 765 (1984) 500
Foster Mountain Packing Co. v. Haydel, 278 U.S. 1 (1942) 294
Friends of the Earth, Inc. v. Brinegar, 518 F.2d 797 (9th Cir. 1975) 156, 164
Gould v. Gould, 78 Conn. 242, 61 A. 604 (1905) 600
Greene County Planning Board v. Federal Power Commission, 455 F.2d 412 (2d Cir. 1972), *cert. denied*, 409 U.S. 849 (1972) 89
Gully v. First Nat'l Bank, 299 U.S. 105 (1936) 314
Hausberry v. Lee, 311 U.S. 32 (1940) 275, 276

Hjelle v. Brooks, 377 F. Supp. 430 (D. Alaska 1974) 286
Hodel v. Indiana, 452 U.S. 314 (1981) 513
Hodel v. Virginia Mining & Reclamation Ass'n, 452 U.S. 264 (1981) 513
Holcomb v. United States, No. 79–2376, (S.D. W.Va. Feb 15, 1982) 192
Hunt v. Washington State Apple Advertising Commission, 432 U.S. 333 (1977) 76
In re Kovacs, 681 F.2d 454 (6th Cir. 1982) 423
In re Kovacs, 717 F.2d 484 (6th Cir. 1983) 430
Iowa Citizens for Environmental Quality, Inc. v. Volpe, 487 F.2d 849 (8th Cir. 1973) 92
Jacobson v. Massachusetts, 197 U.S. 11 (1905) 199, 200, 606
Johnson v. McIntosh, 21 U.S. (8 Wheat.) 543 (1823) 244
Kenny v. Kirk, 212 So.2d 296 (Fla. 1968) 287
Kimberly Hills Neighborhood Association v. Dior, 114 Mich. App. 495, 320 N.W.2d 668 (1982), *cert. denied*, 417 Mich. 1045 (1983) 465
Lemont v. Washington & Georgetown R.R. Co., 47 Amer. Rep. 238, 1 Mackey 180 (1881) 598
Life of the Land v. Brinegar, 485 F.2d 460 (9th Cir. 1973), *cert. denied*, 416 U.S. 961 (1974) 68
Manchester Environmental Coalition v. Stockton, 184 Conn. 51, 441 A.2d 68 (1981) 446
McGhee v. Creek Nation, 122 Ct. Cl. 380 (1952) *cert. denied.* 344 U.S. 856 (1952) 259, 261, 276
Metropolitan Edison Co. v. People Against Nuclear Energy, 51 U.S.L.W. 4371 (U.S. April 19, 1983)(No. 81–2399) 66
Minnesota Public Interest Research Group v. White Bear Rod and Gun Club, 257 N.W.2d 762 (Minn. 1977) 457
Missouri v. Andrews, No. CV82-L-442 (D. Neb. March 7, 1984) 75
Monarch Chemical Co. v. Exxon, 452 F. Supp 493 (D. Neb. 1978) 117, 156
National Forest Preservation Group v. Volpe, 352 F. Supp. 123 (D. Mont. 1972) 93
Natural Resources Defense Council v. Morton, 337 F. Supp. 167 (D.D.C. 1971), *aff'd*, 458 F.2d 827 (D.C. Cir. 1972) 67, 69, 154, 159
Natural Resources Defense Council, Inc. v. Train, 545 F.2d 320 (2d Cir. 1976) 234

New England Power Co. v. New Hampshire Public Utilities Commission, 455 U.S. 331 (1982) 502
New York v. Shore Realty Corp., 22 Env't Rep. Cas. (BNA) 1625 (2d Cir. 1985) 666
New York State Association for Retarded Children, Inc. v. Carey, 466 F. Supp. 479 (E.D.N.Y. 1978), *aff'd* 612 F.2d 644 (2nd Cir. 1979) 632
North Dakota v. U.S., 460 U.S. 300 (1983) 495
Ohio v. Kovacs, 105 S.Ct. 705 (1985) 430
Osceola v. Kuykendall, 4 Indian L. Rep. F-80 (Am. Indian Law Training Program)(Mar. 11 1977) 270
Pasteur Chamberland Filter Co. v. Funk, 52 F. 146 (N.D. ICC 1892) 143, 151
Pendleton v. Mobile Oil Corp., C.C.A. No. 82–375 (R.I., Wash Co. Superior Ct. filed Oct. 6, 1982) 528
Penn Terra Ltd. v. Department of Environmental Resources, 733 F.2d 267 (3d Cir. 1984) 424
People v. Weeren, 26 Cal. 3d 654, 607 P.2d 1279 (1980), *cert. denied*, 449 U.S. 839 (1980) 319
Piefer v. Devitt, No. 590–343 (Mil. Co. Cir. Ct. Feb. 1, 1984) 193
Powderly v. Erickson, 285 N.W.2d 84 (Minn. 1974), *rev'd*, 301 N.W.2d 324 (Minn. 1981) 476
Price v. Shell Oil. Co., 2 Cal. 3d 245, 85 Cal. Rptr. 178, 466 P.2d at 731 548
Pullman Co. v. Krauss, 145 Ala. 395, 40 So. 398 (1906) 598
Reyes v. Wyeth Laboratories, 498 F.2d 1264 (5th Cir. 1974), *cert. denied*, 419 U.S. 1096 (1974) 175
Robinson v. Knebel, 550 F.2d 422 (8th Cir. 1977) 74
Ruckelshaus v. Monsanto Co., 463 U.S. 1315 (1983) 496
Russell v. Farley, 105 U.S. 433 (1881) 143
Rylands v. Fletcher, L.R. 3 H.L. 330 (1868) 542
San Antonio School District v. Rodriguez, 411 U.S. 1 (1972) 602, 604
Secretary of Interior v. California, 464 U.S. 312 (1984) 495
Seubold v. Fort Smith Special School Dist., 218 Ark. 560, 237 S.W.2d 884 (1951) 200
Shoshone Legal Defense and Education Association v. United States, 531 F.2d 495 (Ct. Cl. 1976), *cert. denied*, 429 U.S. 885 (1976) 275
Shoshone Tribe v. United States, 11 I.C.C. 87 (1962) 266

Sierra Club v. Sigler, 695 F.2d 957 (5th Cir. 1983) 114
Sierra Club v. United States Army Corps of Engineers, 541 F. Supp. 1367 (S.D. N.Y. 1982), *partially aff'd, partially vacated*, 701 F.2d 1011 (2d Cir. 1985) 108
Six Nation Confederacy v. Andrus, 477 F. Supp. 40 (D.D.C. 1977) 263, 264
Six Nation Confederacy v. Andrus, 610 F.2d 996 (D.D. Cir. 1979)(*per curiam*) *cert. denied*, 44 U.S. 922 (1980) 264
Skiriotes v. Florida, 313 U.S. 69 (1941) 289
Smith v. Robinson, ___ U.S. ___, 104 S. Ct. 3457 (1984) 618
State v. Bundrant, 546 P.2d 530 (Alaska), *appeal dismissed sub nom.* 287
Stop H-3 Association v. Lewis, 538 F. Supp. 149 (D.C. Hawaii 1982) 115
Sulesky v. United States, 545 F. Supp. 426 (S.D. W.Va. 1982) 186
Sutton v. Chevron Oil Co., 85 N.M. 604, 514 P.2d 1301 (1973) 548
Syska v. Montgomery County Board of Education, 45 Md. App. 626 (Ct. Spec. App. 1979) 199
Tee-Hit-Ton Indians v. United States, 348 U.S. 272 (1955) 246
Thompson v. United States, 122 Ct. Cl. 348 (1952) cert. den., 344 U.S. 856 (1952) 256, 258
Toomer v. Witsell, 334 U.S. 385 (1947) 295
Tuoble Mountain Band of Chippewa Indians v. United States, 490 F.2d 935 (Ct. Cl. 1974) 257, 258, 261, 267
United States v. A.C. Lawrence Leather Company, No. 82-01-07-2 (D.N.H. 1982) 291
United States v. Andrade, 485 F.2d 660 (Ct. Cl. 1973) 278
United States v. Argent, No. 83-0523BB, slip op., (D.N.M. 1984) 665
Unites States v. Carolawn Co., 21 Env't Rep Cas. (BNA) 2124 (D.S.C. 1985) 663
United States v. Dann (Dann I), 572 F.2d 222 (9th Cir. 1978) 268
United States v. Dann (Dann II), 706 F.2d 919 (9th Cir. 1983) 268
United States v. Dann, 53 U.S.L.W. 4169 (U.S. Feb. 20, 1985) 243, 265
United States v. Distler, No. 77-000108-L (W.D. Ky. 1979) 383
United States v. Dotterweich, 320 U.S. 272 (1943) 669

United States v. Johnson & Towers Inc., 741 F.2d 662 (3rd Cir. 1984) 670
United States v. Lanigan, 534 F. Supp. 630, *aff'd without opinion*, 696 F.2d 986 (E.D. Pa. 1982), *cert. denied, Lanigan v. United States*, 103 S. Ct. 1775 (1983) 384
U.S. v. Locke, ____ U.S.____, 105 S. Ct. 1785 (1985) 515
United States v. Mirabile, No. 84-2280, slip op., (E.D. Pa. 1985) 667
Unites States v. Mottolo, 22 Env't Rep. Cas. (BNA) 2124 (D.S.C. 1984) 662
United States v. Northeastern Pharmaceutical and Chemical Co., 579 F. Supp. 823 (W.D. Miss. 1984) 660
United States v. Price, 523 F. Supp. 1055 (D.N.J. 1981), *affirmed* 608 F.2d 204 (3d Cir. 1982) 645
United States v. Ptasynski, 462 U.S. 74 (1983) 506
United States ex rel. Hualpai Indians v. Santa Fe Pacific Railroad, 314 U.S. 339 (1941) 246, 272
United States v. 255.25 Acres of Land, 553 F.2d 571 (8th Cir. 1977) 73
United States v. Ward, 448 U.S. 242 (1980) 505
Vermont Yankee Nuclear Power Corp. v. NRDC, 435 U.S. 519 (1978) 68
West Michigan Environmental Action Council, Inc. v. Natural Resources Commission, 405 Mich. 741, 275 N.W. 2d 538, *cert. denied* 444 U.S. 941 (1979) 462
West Virginia Division of the Izaak Walton League of America, Inc. v. Buty, 367 F. Supp. 422 ((N.D. W.Va. 1973), *aff'd*, 522 F.2d 945 (4th Cir. 1975) 554
Wilson v. United States, No. C80-1325A (N.D. Ga. July 9, 1982) 193
Wofford v. Rudnick, 62 N.M. 307, 318 P.2d 605 (1957) 548
Yommer v. McKenzie, 225 Md. 220, 257 A.2d 138 (1969) 543
Zudif v. San Antonio School Bd., 170 S.W. 840 (Tex. Civ. App. 1914), *reh'g denied*, Nov. 18, 1914 200

TOPICAL INDEX

Aboriginal title 241
modern problems 249
sovereign title 245
Acquired Immune Deficiency Syndrome (AIDS) 210, 583

generally 588
standard of review for cases 630
Administrative Law
deference to agency interpretations 21, 44
use of categorical rules 48
Airborne carcinogens
policy 223
regulation 215
Asbestos emission standards 221
Bankruptcy Reform Act
application and background 404
automatic stay provision 407
discharge provision 415
Black Lung Disability Trust Fund 212
Citizen environmental suits
affirmative defenses 451
judicial strategies restricting citizen suits 454
pollution abatement 24, 538
victim compensation provision 26, 540
prima facie case 447
public trust doctrine 441
standing 444
statutes 443
Clean Air Act 228
Clean Water Act
Best Available Technology & Best Practicable Technology 3
criminal provisions 390
Fundamentally Different Factors Variances 1
legislative history–1977 amendments 26
Comprehensive Environmental Response, Compensation & Liability Act (CERCLA) 649
criminal provisions 389
groundwater, application to 535
liability
-hazardous waste facility owners 664
-joint & several 656
-limited 658
-personal liability of corporate officers 660
-strict 655
Diptheria, Pertussis, Tetanus program 188
Disease, judicial treatment of cases 596
Education for all Handicapped Children Act (EAHCA)
AIDS, application to 614
Environmental impact statements
alternatives 67
cost-benefit analysis 64
delegation of preparation of 79
evaluation of 84
legislative history of 80
major federal action standard 61
standing to sue 64
Environmental interest groups 492
Facility siting 330, 352
citizen participation 343, 361
public opposition 336, 351
state statutes 345, 374

Federal Food, Drug & Cosmetic Act, liability under 669
Fisheries
federal regulation of 281
state regulation of 281
Fishery conservation zone 282
Fishery management plan 300
Groundwater
carcinogenic contamination of 521
effect of underground leaks on 525
Hazardous air pollutants, standards 219
Hazardous waste 331
facility owners, liability of 664
Indian Claims Commission 241, 250
ancestral groups 264
due process 273
legislative history 251
representation 256
Seminole nation 261
Six Nations Confederacy 263
Magnuson Act 281
National Environmental Policy Act of 1969 (NEPA) 439, 443
National Forest Management Act
marginal lands provision 556
purpose 565
National forest system
economic subsidy 558
Negotiation
Connecticut approach 373
Massachusetts approach 352
Rhode Island approach 368
Wisconsin approach 370
Polychlorinated biphenyls (PCBs)
cases under TSCA 389
Public interest lawsuits 494
equity origins of the bond requirement 140
federal equitable discretionary bond exemption 139
injunction bonding 132
modern Bond requirements 145
obstacles to injunctive relief 130
preliminary injunctions 129
public interest bond exemption 135
Public Trust doctrine
citizen environmental suits, application in 441
Rehabilitation Act 586
Resource Conservation and Recovery Act (RCRA)
criminal provisions 387, 647
groundwater, application to 536
Swine flu 170
costs 187
immunization 172
insurance coverage 175
litigation 181
tort liability 180
Takings
citizen environmental suit 475
Toxic Substances Control Act (TSCA)
criminal provisions 388
Underground storage tanks
common law remedies for damages 541
-nuisance 543

-strict liability 542
-vicarious liability 546
United States Army Corps of Engineers 67
Vinyl chloride, emission standards 222
Water pollution
toxic effluents 1